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10 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
11 AT SPOKANE

12 FAYE IRENE GUENTHER,
an individual,

13
14 Plaintiff,

15 v.

16 JOSEPH H. EMMONS, individually,
AND OSPREY FIELD CONSULTING
LLC, a limited liability company,

17 Defendants.
18
19
20
21
22

No. 2:22-cv-00272-TOR

**DECLARATION OF
SARA A. FAIRCHILD IN
SUPPORT OF
DEFENDANTS' MOTION
REGARDING SEALING**

23 FAIRCHILD DECL. ISO DEFS' MOTION
REGARDING SEALING
Case No. 2:22-cv-00272-TOR

4862-6741-7274v.1 0119896-000001

Davis Wright Tremaine LLP
LAW OFFICES
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1610
206.622.3150 main · 206.757.7700 fax

1 I, Sara A. Fairchild, declare:

2 1. I am an attorney in the law firm Davis Wright Tremaine LLP, counsel
3 for Defendants Joseph H. Emmons and Osprey Field Consulting LLC. I make this
4 declaration from personal knowledge and a review of the files and records in this
5 matter.

6 2. United Food and Commercial Workers Union Local 3000 (“UFCW
7 3000”) and Eric Renner produced documents in this litigation pursuant to the Court’s
8 February 14, 2024, Order (ECF No. 38) (“Order”). Defendants deposed three
9 witnesses—Adam Jackson, Laurel Fish, and Alex Garcia—whose testimony also
10 may be subject to the Order. Plaintiff later produced the same documents UFCW
11 3000 produced under the Order.

12 3. The documents UFCW 3000 produced included six agreements
13 containing non-disclosure provisions (“NDAs”).

14 4. On May 2, 2023, I emailed the following parties to the NDAs to request
15 their permission to file publicly certain documents that may be subject to the NDAs:

- 16 • UFCW 3000, through Plaintiff’s counsel
- 17 • Eric Renner, through counsel Bill Gilbert at Gilbert Law Firm P.S.
- 18 • Teamsters 690, through counsel David Ballew at Reid, Ballew,
19 Leahy & Holland LLP
- 20 • Adam Jackson
- 21 • Laurel Fish
- 22 • Alex Garcia
- 23 • Leslie Cowin

- Katie Dugger
- Amy Poston
- Austin DePaolo
- Sandra Huggins

5. In my email to each party, I provided a copy of all material Defendants intended to file to support their Response to Plaintiff's Motion to Dismiss Under Rule 41(a)(2) that may be subject to that party's NDA (or NDAs), and I asked the party for their permission to file that material publicly. I also provided each party with a copy of the Court's February 14, 2024, Order (ECF No. 38).

6. At the time of this filing, not all parties have consented to disclosure of the material Defendants wish to file to support their Response to Plaintiff's Motion to Dismiss Under Rule 41(a)(2) that may be subject to the NDAs.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 3, 2024, in Seattle, Washington.

s/ Sara A. Fairchild

Sara A. Fairchild

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2024, I caused the document to which this certificate is attached to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Aaron Streepy
Jim McGuinness
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***Attorneys for Plaintiff Faye Guenther and United
Food and Commercial Workers Union Local 3000***

I further certify that on the same date, I caused the same document to be served by email and mail to the following:

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20 Ajgarcia2147@gmail.com

21 I declare under penalty of perjury that the foregoing is true and accurate.

22 DATED this 3rd day of May, 2024.

23 By: s/Sara A. Fairchild

Sara A. Fairchild, WSBA #54419

FAIRCHILD DECL. ISO DEFS' MOTION
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